



HOW THE AG HELPS PARENTS MEET THEIR CHILDREN'S MEDICAL NEEDS

by Texas Attorney General Greg Abbott

THE CHILD SUPPORT DIVISION (CSD) OF MY office works hard to ensure that Texas children receive the financial support they deserve. A key component of that support is health care coverage. Health care coverage is important not only because it encourages parental responsibility, but also because it protects the health of Texas children.

Approximately one million children on the CSD caseload are subject to a child support order that includes a provision to provide medical support. Access to health care is essential to a child's well-being. For that reason, Texas law requires that each child support order address medical support in addition to child support. In crafting the child support order, courts consider the cost and quality of health insurance that may be available to the parents, so that each child receives the best possible coverage.

In many child support cases, a parent is ordered to provide health insurance for the child through a policy available from the parent's employer or membership in a union, trade association or other

organization, if available at a reasonable cost. Reasonable cost, as defined by state law, is no more than nine percent of the noncustodial parent's annual gross income.

If neither parent is able to obtain private health insurance at a reasonable cost, the custodial parent is ordered to apply on behalf of the child to a government-funded medical program such as Medicaid or the state Children's Health Insurance Program (CHIP). The cost of the CHIP premium may be added to the noncustodial parent's monthly child support payment.

When private insurance is unavailable, whether or not the children are eligible for Medicaid or CHIP, the courts may order the noncustodial parent to provide cash medical support in addition to the monthly child support payment.

When the noncustodial parent is ordered to pay cash medical support, a notice of income withholding is sent to the employer according to the same procedures for withholding regular child support payments from the parent's paycheck. If the parent is ordered to

provide insurance through the employer, the employer is required to enroll the child in health insurance coverage and withhold the necessary premium payments from the parent's income.

Both children and the State of Texas benefit when parents on the CSD caseload enroll their children in private health insurance. Enrolling children in private health insurance represents a significant cost savings to the state of Texas. The Child Support Division found that one-half of the children my office enrolled in private insurance were also covered by Medicaid. This information allowed the Health and Human Services Commission to recover \$62 million from private insurers and pharmacies for services Medicaid paid, but was not required to cover. In addition, my office collected \$70 million in cash medical support for families on Medicaid and distributed those collections to the Medicaid agency.

To find out more about services offered by the Attorney General's Child Support Division, visit the agency website at www.texasattorneygeneral.gov.

– July 2012

POINTS TO REMEMBER



MEDICAL SUPPORT

Texas law requires child support orders to include a provision for medical support.

1. One of the parents will be ordered to provide health insurance at a reasonable cost:
 - Through an employer, or
 - Membership in a trade association or other organization
2. Reasonable cost is nine percent of the noncustodial parent's gross income.
3. If private insurance is unavailable, children may be eligible for Medicaid or CHIP.
4. Cash medical support may be ordered in addition to child support.

Call (800) 252-8014 or visit the Attorney General's website at www.texasattorneygeneral.gov to find out more.



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT